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PRACTICE LIMITED TO MATTERS BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

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SEP 22 1993

September 21, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
The Federal Communications Commission
1919 M Street, N.W.
Washington, D. C. 20554

RE: MM Docket No. 93-203 (RM-8245)
Islesboro Broadcasting Company, Petitioner
Islesboro, Maine

Dear Mr. Caton:

Transmitted herewith, on behalf of Islesboro Broadcasting Company, through counsel, are an original and six copies of "Reply Comments" in the above-captioned proceeding.

Should any questions arise regarding this matter, please contact the undersigned, directly.

Respectfully submitted,

By: *RJ Hayes*
Richard J. Hayes, Jr., Esq.
Counsel to: Islesboro
Broadcasting Company

RJH:lss
Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSIONS COMMISSION
 WASHINGTON D.C.

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SEP 22 1993

In the Matter of)

)
 Amendment of Section 73.202(b)
 of the Commission's Rules
 Table of Allotments
 FM Broadcast Stations
 (Islesboro, Maine)

MM Docket No. 93-203

RM-8245

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

To: Chief, Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

REPLY COMMENTS
OF ISLESBORO BROADCASTING COMPANY

Comes Now, Islesboro Broadcasting Company, through counsel, with *Reply Comments* in the above-captioned proceeding. These *Reply Comments* are submitted in response to the *Counterproposal* of Winter Harbor Wireless Associates which were filed with the Federal Communications Commission on September 9, 1993.

Islesboro Broadcasting Company proposed the use of channel 288B1 as a first, local FM service for the community of Islesboro, Maine. A Notice of Proposed Rule Making was released on July 20, 1993 which, subject to the petitioner providing additional information to the FCC, proposed the allotment of channel 288B1 at Islesboro. The petitioner provided the required information regarding the "community status" of Islesboro on September 8, 1993. *Inter alia*, Islesboro Broadcasting Company conclusively demonstrated, for Section 307(b) purposes, the Islesboro is a "community for allotment purposes".

On September 9, 1993, Winter Harbor Wireless Associates submitted a counterproposal in this proceeding which proposed channel 288A at Winter Harbor, Maine. The use of channel 288A at Winter Harbor, Maine is mutually exclusive with the proposal to allot channel 288B1 at Islesboro, Maine.

**Reply Comments of
Islesboro Broadcasting Company**

Page Two

For the purposes of resolving the conflict presented to the Commission from two, mutually exclusive proposals, Islesboro Broadcasting Company suggests that the Commission allot channel 249A at Winter Harbor, Maine. Channel 249A would satisfy Winter Harbor Wireless Associates' desire for a new FM station at Winter Harbor, Maine and, furthermore, would permit a new, first local FM service at Islesboro, Maine. Channel 249A would satisfy all of the Commission's rules with regard to minimum distance separation and city-grade coverage. No other individual has expressed any interest in channel 249A. The attached engineering report clearly demonstrates that channel 249A can be utilized at Winter Harbor, Maine without jeopardizing any existing service and, furthermore, without requiring any other facility to change channels. This proposal resolves the conflict and satisfies all of the Commission's requirements.

Therefore, the foregoing considered, Islesboro Broadcasting Company respectfully requests that channel 288B1 be allotted to the community of Islesboro, Maine and that channel 249A be allotted to Winter Harbor as an equivalent, substitute channel.

Respectfully submitted,

Islesboro Broadcasting Company

by: 

Richard J. Hayes, Jr., Esq.

Its attorney

Richard J. Hayes, Jr.
Attorney at Law
13809 Black Meadow Road
Spotsylvania, Virginia 22553
(703) 972-2690

Certificate of Service

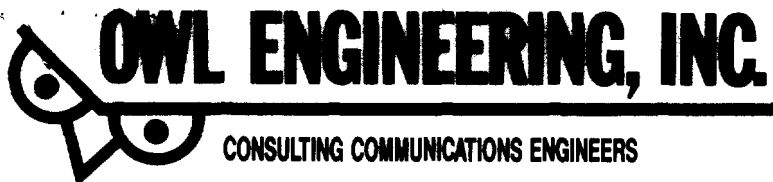
I, Richard J. Hayes, Jr. hereby certify that I have this 21st day of September, 1993, sent a copy of the foregoing "Reply Comments" by first-class U.S. mail, postage prepaid, to the following:

David D. Oxenford, Esq.
Fisher, Wayland, Cooper and Leader
1255 23rd Street, N.W.
Suite 800
Washington D.C. 20037-1170

Counsel to Winter Harbor Wireless Associates



Richard J. Hayes, Jr., Esq.



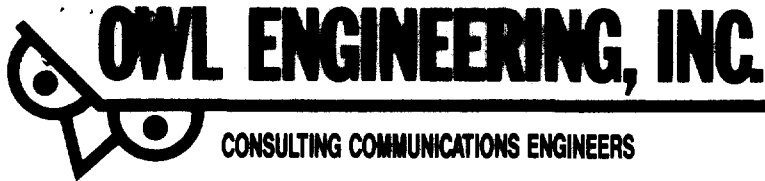
CONSULTING COMMUNICATIONS ENGINEERS

1306 W. County Road F, St. Paul, MN 55112
(612) 631-1338 • Fax (612) 631-3502

**ENGINEERING STATEMENT
ON BEHALF OF ISLESBORO BROADCASTING COMPANY
IN SUPPORT OF REPLY COMMENTS
AMENDMENT OF THE FM TABLE OF ALLOTMENTS
CHANNEL 288B1 ISLESBORO, MAINE**

September 14, 1993

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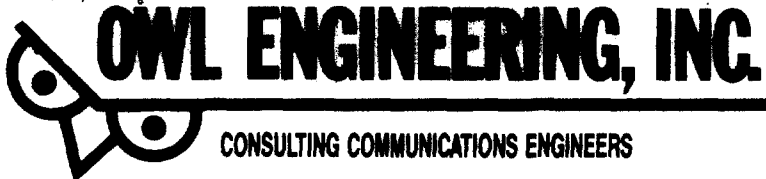
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Owl Engineering, Inc. has been retained by Islesboro Broadcasting Company (hereafter "Islesboro") to prepare this Engineering Statement in support of reply comments in response to the counterproposal filed regarding the Petition for Rule Making; MM Docket No. 93-203.

Winter Harbor Wireless Associates proposed the use of channel 288A at Winter Harbor, ME which is mutually exclusive with the original proposal of "Islesboro". However, a review of allotments in the Winter Harbor area revealed that channel 249A would also be available for allotment purposes at Wireless' reference point. Attached as Engineering Exhibit E-1 is a channel allocation study demonstrating this fact.



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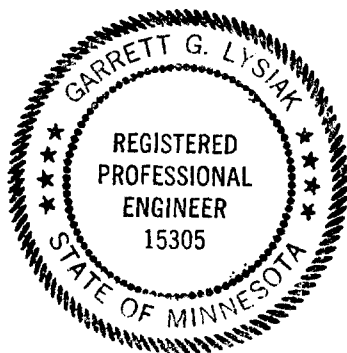
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RAMSEY COUNTY)

STATE OF MINNESOTA)

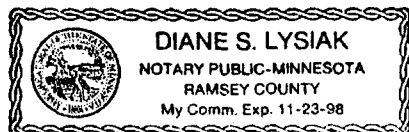
ss:

Garrett G. Lysiak, being first duly sworn, says that he is president of Owl Engineering, Inc., consulting communications engineers with offices in Arden Hills, Minnesota; that his qualifications as an expert in communications engineering are a matter of record with the Federal Communications Commission; that the foregoing exhibit was prepared by him and under his direction; and that the statements contained therein are true of his own personal knowledge except those stated to information and belief and, as to those statements, verily believes them to be true and correct.



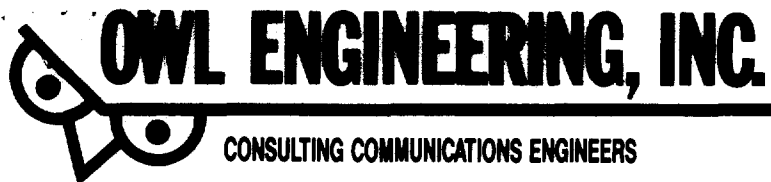
Garrett G. Lysiak
Garrett G. Lysiak, P.E.

Subscribed and sworn to before me this date September 14, 1993



Diane S. Lysiak
Diane S. Lysiak
Notary Public

My commission expires November 23, 1992



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IN SUPPORT OF REPLY COMMENTS
AMENDMENT OF THE FM TABLE OF ALLOTMENTS
CHANNEL 288B1 ISLESBORO, MAINE**

CHANNEL ALLOCATION STUDY

FM Channel 249-A

LATITUDE: 44 23' 21" LONGITUDE: 68 4' 16"

CHNL	Call Status	Owner	City	Class	Calculated Km.	Required Km.	Clear- ance	Bearing degrees
246	WYOUFM LIC	FMME	Bangor	B	87.44	69	18.44	293.98
			Diversified Communic	44 42' 13"	69 4' 47"		BLH5782	
247	NO CONFLICT							
248		FANS	Yarmouth	B	164.35	149	15.35	107.38
				43 55' 55"	66 7' 0"			
249	NO CONFLICT							
250	NO CONFLICT							
251		FANB	St Stephen	B	109.54	84	25.54	34.31
				45 12' 0"	67 17' 0"			
252	NO CONFLICT							